

Int'l Appl. No. : CT/BE99/00105

Date : August 14, 1999

On page 14, line 1, please cancel the word "CLAIMS" and substitute in its place -WHAT IS CLAIMED IS:--.

### IN THE CLAIMS

Please amend the claims as follows:

1. (Amended) [Isolated and purified genetic sequence (1) controlling in trans]An isolated polynucleotide which controls the expression of a xylanase promoter-operator nucleotide sequence in trans, comprising [(2)] at least about 100 nucleotides of SEQ ID NO:1, its complement, or a homolog, wherein said homolog controls the expression of said xylanase promoter-operator.
2. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide according to claim 1, [being a nucleotide sequence which presents]with more than 60% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.
3. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide genetic sequence according to claim 2, [which presents]with more than 80%[, preferably more than 90%, more specifically more than 95%,] homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.
4. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide according to claim 1, [any one of the preceding claims, being the nucleotide sequence SEQ ID NO:1, its complementary strand or a portion thereof having more than 100 nucleotides and]wherein said polynucleotide [encoding]encodes a peptide [controlling]which positively and/or negatively controls the activation of a xylanase promoter-operator nucleotide sequence.
5. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide according to claim 1, [being]encoding an amino-acid sequence [which presents]having more than 60% homology with SEQ ID NO:2.
6. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide according to claim 5, [being]wherein the amino-acid sequence

[which] presents more than 80%[, preferably more than 90%, more specifically more than 95%,] homology with SEQ ID NO:2.

7. (Amended) [Isolated and purified genetic sequence]The isolated polynucleotide according to claim 1, [being]encoding the amino-acid sequence SEQ ID NO 2 or a portion thereof having more than 50 amino-acids [which is capable of controlling]wherein said portion controls positively and/or negatively in trans the expression of a xylanase promoter-operator nucleotide sequence.
8. (Amended) [Nucleotide]A polynucleotide construct [(6)] comprising the isolated and purified polynucleotide [sequence] according to [any one of the claims 1 to 4]claim 1, operably linked to a xylanase promoter-operator polynucleotide [sequence (2) and possibly a nucleotide sequence (5) which is cis-activated by said xylanase promoter-operator nucleotide sequence (2)].
9. (Amended) [Vector (7), preferably a plasmid,]A vector comprising the isolated and purified polynucleotide [sequence (2)] according to [any one of the claims 1 to 7 or the nucleotide construct (6) according to claim 8] claim 1.
10. (Amended) [Cell]A cell transformed by the vector according to claim 9 [and which allows the expression of the isolated and purified genetic sequence according to any one of the claims 1 to 7].

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**Please add the following Claims:**

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11. The isolated polynucleotide according to claim 3, with more than 90% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.
12. The isolated genetic sequence according to claim 3, with more than 95% homology with the nucleotide sequence SEQ ID NO:1 or its complementary strand.
13. The isolated polynucleotide of Claim 1 further comprising a cofactor.
14. The isolated polynucleotide of Claim 11 wherein said cofactor is selected from the group consisting of glucose, xylan, and mixtures thereof.
15. A method for the up-regulation or down-regulation of xylanase, comprising: providing the polynucleotide of Claim 1 to a cell which expresses xylanase.
16. The method of Claim 15, further comprising providing a cofactor.